

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No. 13-cv-06326 (TPG)

PREVEZON HOLDINGS, LTD., et al.,

Defendants.
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NOTICE OF MOTION

PLEASE TAKE NOTICE that upon this notice, the accompanying memorandum of law, the Declaration of Lisa H. Rubin, Esq., dated September 12, 2014, and the exhibits thereto, and all other papers submitted herein, non-parties William Browder (“Browder”), Sundance Aspen LLC, Michael Cassidy Foley, Acme Property Management, Inc., Victoria Tarantino, and Victoria Tarantino Consulting LLC (collectively, the “Affected Non-Parties”), by and through their undersigned counsel, will move this Court, at a time and date to be determined, before the Honorable Thomas P. Griesa, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, Courtroom 26B, 500 Pearl Street, New York, New York 10007-1312, for an order quashing the non-party subpoenas issued to each of the Affected Non-Parties between July 29, 2014 and August 15, 2014 (the “Subpoenas”); imposing the fees and costs associated with bringing this motion and with preparing objections and responses to the Subpoenas on Defendants and their counsel pursuant to Fed. R. Civ. P. 45(d)(1) and 28 U.S.C. § 1927; and enjoining any further non-party discovery to or about Browder unless and until (a) the conflict of interest posed by Baker & Hostetler LLP’s successive representation is resolved, (b) this motion and the pending motions concerning two, prior non-party subpoenas to Hermitage

Global Partners LP and Browder in his purported capacity as “Director of Hermitage Global Partners LP” are decided, and (c) meaningful party discovery has occurred, and allowing additional non-party discovery only if such discovery is narrowly tailored to the key issues presented by this civil forfeiture action.

Dated: New York, New York
September 12, 2014

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Randy M. Mastro
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